

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/617,293	BIANCO, RONALD	
	Examiner Gary C Hoge	Art Unit 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to \_\_\_\_\_.
2.  The allowed claim(s) is/are 1-18.
3.  The drawings filed on 10 July 2003 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

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**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

1. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on December 15, 2004, Rose Hickman requested an extension of time for TWO MONTH(S) and authorized the Director to charge Deposit Account No. 03-1728 the required fee of \$225 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

1. (Currently Amended) A perpetual calendar comprising:

a front panel permanently displaying a month grid of cells and weekday labels, the front panel selectively displaying preprinted numbers in the month grid of cells in an accurate configuration and number of days for any month; and

~~an at least semi-transparent sheet coupled to and in front of the front panel and having a write-on/wipe-off surface,~~

wherein at least some of the preprinted numbers are arranged as clusters of repeated, identical numbers.

2. (Currently Amended) The perpetual monthly calendar of claim 1, wherein the cells include windows therein, the calendar further comprising:

at least one surface coupled to and movable behind the front panel, the at least one surface having numbers permanently printed thereon, the numbers spaced such that when the at least one surface is moved, the accurate number and configuration of days for any month can be displayed through the windows.

3. (Currently Amended) A perpetual calendar comprising:

a front panel permanently displaying a month grid of cells and weekday labels,  
the front panel selectively displaying preprinted numbers in the month grid of cells in an  
accurate configuration and number of days for any month; and  
an at least semi-transparent sheet coupled to and in front of the front panel and  
having a write-on/wipe-off surface,

The perpetual calendar of claim 2,

wherein the month grid of cells has a plurality of upper rows and at least one lower row, and the at least one surface further comprises:

a first surface having a first number matrix displayed thereon, the first surface horizontally movable behind the plurality of upper rows; and

a second surface having a second number matrix displayed thereon, the second surface horizontally movable behind the at least one lower row,

wherein the first number matrix is arranged such that by moving the first surface horizontally in relation to the front panel, a plurality of numbers of the first number matrix are visible through the windows in the upper rows to accurately represent sequential dates of the upper rows of a calendar for a month starting on any weekday, and

wherein the second number matrix is arranged such that by moving the second surface horizontally in relation to the front panel, a portion at least one of the numbers of the second ~~number matrix~~ surface is visible through at least one window of the at least one lower row, to accurately represent sequential dates for the at least one lower row of a calendar numbered for a month beginning on any weekday and having an accurate number of days for any month.

4. (Currently Amended) The perpetual ~~monthly~~ calendar of claim 2, further comprising a base coupled to the front panel and slidably coupled to the at least one surface such that the at least one surface maintains alignment with the front panel perpendicular to a direction of movement.

5. (Currently Amended) The perpetual ~~monthly~~ calendar of claim 1, further comprising a month surface coupled to and movable behind the front panel, the month surface having a list of month names permanently displayed thereon,

wherein the front panel further comprises a month window sized and located such that when the month surface is moved, one month from the list of month names is visible through the month window.

6. (Currently Amended) The perpetual ~~month~~ calendar of claim 1, further comprising:  
a list of months displayed on the front panel; and

a month marker coupled to the front panel and located at least partially in front of the list of month names to mark a current month.

7. (Currently Amended) The perpetual ~~month~~ calendar of claim 6, wherein the list of month names is a horizontal array and the month marker is slidable along the front panel.

8. (Currently Amended) The perpetual ~~month~~ calendar of claim 7, further comprising a month receiver fixedly coupled to the front panel, the month receiver configured to hold the list of month names in alignment with the front panel.

9. (Currently Amended) The perpetual ~~month~~ calendar of claim 7, wherein the list of month names includes an array of day configurations for each month of a year proximate to each month name in the list of month names.

10. (Currently Amended) The perpetual ~~month~~ calendar of claim 2, wherein the at least one surface is formed as a loop of flexible material.

11. (Currently Amended) The perpetual ~~month~~ calendar of claim 5, wherein the month surface is formed as a loop of flexible material.

12. (Currently Amended) The perpetual ~~month~~ calendar of claim 1, further comprising one of a wet-erase marker and a dry-erase marker.

13. (Currently Amended) The perpetual month calendar of claim 2, further comprising a first axially rotational spindle coupled to the at least one surface such that upon rotating, the spindle engages the at least one surface and moves it to display the accurate number and configuration of days for any month.

14. (Currently Amended) The perpetual month calendar of claim 3, further comprising:  
a first axially rotational spindle coupled to the first surface such that upon rotating, the spindle engages the first surface and moves it horizontally; and  
a second axially rotational spindle coupled to the second surface such that upon rotating, the spindle engages the second surface and moves it horizontally.

15. (Currently Amended) The perpetual month calendar of claim 13, wherein the at least one surface is coupled on one end to the spindle and is coupled on an opposite end to an axially rotatable rod.

16. (Currently Amended) A perpetual monthly calendar comprising:  
a front panel having a grid of cells representing a month displayed thereon, each cell having a window, and the grid having seven columns representing weekdays, a plurality of upper rows representing upper rows of a monthly calendar and at least one lower row representing at least one lower row of a monthly calendar;

a first surface having a first number matrix displayed thereon, the first surface coupled to the front panel and horizontally movable behind the plurality of upper rows; and

a second surface having a second number matrix displayed thereon, the second surface coupled to the front panel and horizontally movable behind the at least one lower row;

wherein the first number matrix is arranged such that by moving the first surface horizontally in relation to the front panel, a plurality of numbers of the first number matrix are visible through the plurality of windows in the upper rows, and can accurately represent sequential dates of the upper rows of a calendar for a month starting on any weekday, and

wherein the second number matrix is arranged such that by moving the second surface horizontally in relation to the front panel, ~~at least one of numbers~~ a portion of the second number matrix ~~surface~~ is visible through at least one window of the at least one lower row, and can accurately represent sequential dates for the at least one lower row of a calendar numbered for a month beginning on any weekday and an accurate number of days for any month.

17. (Original) The perpetual monthly calendar of claim 16, further comprising an at least semi-transparent sheet coupled to and in front of the front panel and having a write-on/wipe-off surface.

18. (New) The perpetual calendar of claim 1, further comprising:

an at least semi-transparent sheet coupled to and in front of the front panel and having a write-on/wipe-off surface.

2. The following is an examiner's statement of reasons for allowance: The drawing objection in the previous Office action is withdrawn. The "month marker" was, in fact, shown in the drawings.

Two difficulties arise in making a perpetual calendar: First, a given month can begin on any day of the week, and second, there are anywhere between 28 and 31 days in a month. This second problem has been addressed in the prior art in several ways. For example, a perpetual calendar may include 31 days, and the last digit, or digits, can be covered, as needed (e.g., U.S. Pat. No. 4,567,680 and U.S. Pat. No. 1,310,428). Second, multiple clusters of numbers can be provided, and the correct cluster can be selected (e.g., U.S. Pat. No. 4,459,236 and U.S. Pat. No. 1,668,280). However, Applicant's solution (clusters of identical numbers, as recited in the independent claim and illustrated in Fig. 8) is not disclosed or suggested in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C Hoge whose telephone number is (703) 308-3422. The examiner can normally be reached on 5-4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (703) 308-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-277-9197 (toll-free).



Gary C Hoge  
Primary Examiner  
Art Unit 3611

gch